

IN THE UNITED STATES DISTRICT COURT FOR
THE WESTERN DISTRICT OF OKLAHOMA

TERRY LEE WALTMAN,)
Petitioner,)
vs.)
JUSTIN JONES, Director,)
Respondent.)

No. CIV-05-953-W

FILED
DEC 7 2005
ROBERT D. DENNIS, CLERK
U.S. DIST. COURT, WESTERN DIST. OF OKLA.
BY BS DEPUTY

ORDER

On November 4, 2005, United States Magistrate Judge Gary M. Purcell issued a Report and Recommendation in this matter and recommended that the Petition for Writ of Habeas Corpus ("Petition") filed by petitioner Terry Lee Waltman be denied. Waltman was advised of his right to object, but no objection to the Report and Recommendation has been filed within the allotted time.

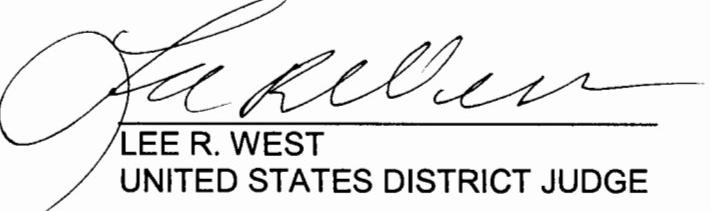
Waltman was convicted by a jury in the District Court of Logan County, Oklahoma, of one count of manufacturing a controlled dangerous substance (methamphetamine) and one count of conspiracy to manufacture a controlled dangerous substance (methamphetamine), both after former conviction of two or more felonies. The trial judge, pursuant to the jury's recommendations, sentenced Waltman to a term of imprisonment of forty (40) years on each count, to be served consecutively.

Upon de novo review of the record and because the Court finds no merit to Waltman's challenges to his convictions and in particular, to his arguments regarding the sufficiency and admissibility of evidence, the Court concurs with Magistrate Judge Purcell's suggested disposition of this matter. Absent a showing that Waltman is entitled to habeas

relief on any of the four grounds asserted in his Petition, the Court

- (1) ADOPTS the Report and Recommendation issued on November 4, 2005;
- (2) DENIES Waltman's Petition file-stamped August 16, 2005; and
- (3) ORDERS that judgment in favor of the respondent issue forthwith.

ENTERED this 7th day of December, 2005.



LEE R. WEST
UNITED STATES DISTRICT JUDGE